

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRANSCANADA CORPORATION and TC :  
RAVENSWOOD LLC, :

Plaintiffs, :

-against- :

SIEMENS ENERGY, INC., SIEMENS POWER :  
GENERATION, INC., and SIEMENS :  
WESTINGHOUSE POWER CORPORATION, :

Defendants. :  
----- X

Docket No.: 18-cv-6199  
:  
:  
: **NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that defendant SIEMENS ENERGY, INC., also sued herein as SIEMENS POWER GENERATION, INC., and as SIEMENS WESTINGHOUSE POWER CORPORATION (“Siemens”), by and through its attorneys, LITTLETON PARK JOYCE UGHETTA & KELLY LLP, hereby petitions the United States District Court for the Southern District of New York for removal of this case pursuant to 28 U.S.C. §§ 1441 and 1446.

Defendant Siemens by and through its undersigned counsel, states the following upon information and belief:

1. This case is presently pending in the Supreme Court of the State of New York, New York County, under Index No. 652957/2018. The territory assigned to the United States District Court for the Southern District of New York under 28 U.S.C. Section 112 embraces New York County.

2. Plaintiffs filed the underlying Summons and Complaint on June 12, 2018, naming Siemens Industry, Inc., Siemens Power Generation, Inc., and Siemens Westinghouse Power Corporation as defendants. Siemens Power Generation, Inc., and Siemens Westinghouse Power

Corporation are not separate entities but rather are former names of Siemens Energy, Inc. See, summons and complaint, Exhibit A.

3. As the plaintiff alleges, Siemens is a Delaware corporation maintaining its principal place of business in Florida. See, complaint, Exhibit A, paragraphs 6-8.

4. Plaintiffs allege that the plaintiff TransCanada Corporation is a corporation organized and existing under the laws of Alberta, Canada, maintaining its principal place of business in Calgary, Alberta, Canada. See, complaint, Exhibit A, paragraph 1.

5. Plaintiffs allege that plaintiff TC Ravenswood LLC is a limited liability company and a subsidiary of TransCanada Corporation, and as such is owned by a Canadian resident. See, complaint, Exhibit A, paragraph 3.

6. The defendant lacks additional information concerning the identification of the members of TC Ravenswood LLC, and thus refers to Local Rule 81.1.

7. Plaintiffs allege in the complaint that it suffered damages of \$57,974,101.50, far more than \$75,000. See, complaint, Exhibit A, paragraphs 33, 43, 49, 57, and 63.

8. Since plaintiffs and defendant are citizens of different states and the amount in controversy is greater than \$75,000, this Court has original (diversity) jurisdiction over this case under 28 U.S.C. § 1332.

Dated: Purchase, New York  
July 9, 2018

Yours, etc.,

LITTLETON PARK JOYCE  
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TO:

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